

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:  
Pittsburgh Corning Corporation,  
Debtor(s)

Bankruptcy No. 00-22876-JKF  
Chapter 11  
**Related to Doc. No. 9260**

In re:  
North American Refractories  
Company, *et al.*  
Debtor(s)

Bankruptcy No. 02-20198-JKF  
Chapter 11  
**Related to Doc. No. 7835**

In re:  
Mid-Valley, Inc., *et al.* and  
DII Industries LLC  
Debtor(s)

Bankruptcy No. 03-35592-JKF (**CLOSED**)  
Chapter 11  
**Related to Doc. No. 2839**

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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT DELAWARE**

In Re:

Owens Corning, *et al.*,  
Debtor(s)

Bankruptcy No. 00-3837-JKF (**CLOSED**)  
Chapter 11  
**Related to Doc. No. 21068**

W.R. Grace & Co., *et al.*  
Debtor(s)

Bankruptcy No. 01-1139-JKF  
Chapter 11  
**Related to Doc. No. 30404**

USG Corporation, *et al.*,  
Debtor(s)

Bankruptcy No. 01-2094-JKF (**CLOSED**)  
Chapter 11  
**Related to Doc. No. 12682**

United States Mineral Products Company,  
*et al.*  
Debtor(s)

Bankruptcy No. 01-2471-JKF (**CLOSED**)  
Chapter 11  
**Related to Doc. No. 3989**

Kaiser Aluminum Corporation, *et al.*  
Debtor(s)

Bankruptcy No. 02-10429-JKF  
Chapter 11  
**Related to Doc. No. 10281**

The Flintkote Company  
Debtor(s)

Bankruptcy No. 04-11300-JKF  
Chapter 11  
**Related to Doc. No. 7436**

Armstrong World Industries, Inc., *et al.*  
Debtor(s)

Bankruptcy No. 00-4471-JKF (**CLOSED**)  
Chapter 11  
**Related to Doc. No. 10782**

ACandS, Inc., *et al.*  
Debtor(s)

Bankruptcy No. 02-12687-JKF (**CLOSED**)  
Chapter 11  
**Related to Doc. No. 3721**

Combustion Engineering, Inc.  
Debtor(s)

Bankruptcy No. 03-10495-JKF (**CLOSED**)  
Chapter 11  
**Related to Doc. No. 3476**

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**AFFIDAVIT OF JONATHAN P. GUY**

Jonathan P. Guy, being first duly sworn, deposes and says:

1. I acted as lead counsel to Joseph W. Grier, III, Legal Representative for Future Asbestos Claimants (the “FCR”) in *In re Garlock Sealing Technologies LLC* (“Garlock”), Bankruptcy Case No. 10-31607 (Bankr. W.D.N.C.) (the “NCWB Proceeding”). During the pendency of the case I was (and remain) employed by Orrick, Herrington & Sutcliffe LLP (“Orrick”). The FCR’s asbestos claims consultant in the NCWB Proceeding was Hamilton, Rabinovitz & Associates (HR&A).

2. I make this affidavit pursuant to the Order Establishing the Protocol for Production of 2019 Exhibits (the “2019 Protocol Order”), entered in the above-captioned cases, based on the best of my personal knowledge and my inquiries of Orrick and HR&A employees. Capitalized terms not otherwise defined herein shall have the meaning assigned in the 2019 Protocol Order.

3. In 2013, Orrick received the 2019 Exhibits from Garlock on a flashdrive. The flashdrive was immediately forwarded to HR&A by overnight delivery. HR&A, to the extent they had access to the 2019 Exhibits, used them, if at all, solely for the purpose of the NCWB Proceeding. Orrick did not retain a copy of the 2019 Exhibits in any format. Orrick did not access the flashdrive, nor was it provided to any other FCR expert or consultant.

4. HR&A and Orrick did not share or distribute any of the 2019 Exhibits (in whole or in part) with any person or entity other than as expressly authorized by an order of the Bankruptcy Court for the Western District of North Carolina ("NCWB"), the Bankruptcy Court for the District of Delaware ("DEB"), or the Bankruptcy Court for the Western District of Pennsylvania ("PAWB"). HR&A and Orrick did not, and now cannot (in that the flashdrive has been destroyed by HR&A and the information not retained), publicly disclose the identity of any individual listed in any of the 2019 Exhibits other than as expressly authorized by an order of NCWB, DEB, or PAWB.

5. Mr. Rob Sims, of HR&A, has confirmed that he recently retrieved and destroyed the flash drive and permanently deleted from their computer systems all copies of the 2019 Exhibit Production, to the extent any ever existed, including any and all subparts or subsets, regardless of whether any or all of the 2019 Exhibit data was merged with any other data. Mr. Sims has also confirmed that HR&A does not have an automatic back-up system in place where the 2019 Exhibit data could reside.

Dated this 16<sup>th</sup> day of October, 2017



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*Attorneys for Joseph W. Grier, III  
Legal Representative Future Asbestos Claimants*

Sworn to and subscribed before me,  
this 16<sup>th</sup> day of October, 2017

Madina M. Robinson  
Notary Public

My commission expires: 12-14-2018

(Official Seal)

